

Shawn Talbot: Rice  
in "care of" general post-office box 1092.  
nation arizona. seligman city. Rice province.  
United States minor, outlying islands  
near [86337-1092].

2012 SEP 13 P 12:24

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

SHAWN TALBOT RICE,

Defendant/Movant

Case No.2:09-cr-0078-JCM-RJJ

And

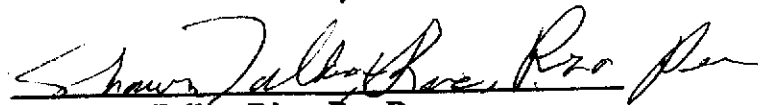
2:10 - cr - 00520-JCM-RJJ

MOTION FOR ENLARGEMENT OF TIME  
INACCORDANCE WITH FEDERAL  
RULES OF CRIMINAL PROCEDURE, RULE  
47 WITH AFFIDAVIT IN SUPPORT OF  
MOTION

1. By Law and precedent and in accordance with the Supreme Court of the United States, *pro se* Pleadings MAY NOT be held to the same standard as a lawyer's and/or attorney's; and whose motions, pleadings and all papers may ONLY be judged by their function and never their form. *See in the nature of:* Haines v. Kerner; Platsky v. CIA; Anastasoff v. United States; Litigants are to be held to less stringent pleading standards.

- 1  
2 2. Comes now Shawn Talbot Rice, a man, seeking an enlargement of time in accordance with  
3 Federal Rules of Criminal Procedure, herein after (FRCrP), Rule 47 with supporting  
4 affidavit of fact and knowledge causing a need for an ENLARGEMENT OF TIME.  
5
- 6 3. The Presentencing Hearing is presently set for 24 October, 2012. The defendant remains in  
7 solitary confinement, now some six months, with limited ability to conduct affairs preparing  
8 for allocution. The defendant has applied for in forma pauperis status and has presented that  
9 application to the Case Manager for Corrections Corporation of America, Nevada Southern  
10 Detention Center at Pahrump on 4 September, 2012. The application has yet to be  
11 processed. CCA appears to be applying punishment to the defendant outside the yet to be  
12 sentencing implemented by a court of Law. Defendant has been denied access to the trial  
13 transcripts without payment for transcribing the trial proceedings. The Court cannot  
14 intercede to make funds available absent the completion of the Informa Pauperis application  
15 by the CCA/NSDC Case Manager and with approval thereof for presentment to the Court  
16 for an order to produce funds for the trial transcripts for the defendant.  
17
- 18 4. The defendant and family have been forced into Chapter Seven Bankruptcy with a Final  
19 Order dated 23 April, 2012. Exhibit 1 The inmate/ defendant is indigent without funds  
20 other than small amounts of money from relatives and friends for essentials while  
21 incarcerated in solitary confinement unable to even earn inmate service pay.  
22
- 23 5. A date certain requested for an enlargement of time is 23 November, 2012 with leave of the  
24 Court for an extension to 27 December to accommodate a delayed delivery of the trial  
25 transcripts beyond 28 September, 2012.  
26  
27  
28

1 Respectfully Submitted, this 12 day of Sept. 2012.

2   
3 Shawn Talbot Rice, Pro Per

Shawn Talbot Rice  
43739048 NSDC  
2190 E. Mesquite Rd.  
Pahrump Nevada 89060

**AFFIDAVIT OF Shawn Talbot Rice**

State of Nevada       )  
                              )       Subscribed, affirmed and sealed  
Nye County            )

I, Shawn Talbot Rice (Affiant), appears and states under Penalty of perjury that the following is true and correct.

1. Affiant is a man, sovereign without subjects, operating on the soil of, Arizona.
2. Affiant *operates* and delivers this data with personal knowledge of the fact, unless stated to contrary (information and belief).
3. At all times Affiant, concerning this instant matter, was domiciled in, Arizona.
4. Shawn Talbot Rice is not a corporate entity but as declared in # 1 above is a man of flesh and blood.
5. Affiant has attempted to obtain Trial transcripts for subject trial.
6. Failure of administrative efficiency or a mentality of punishment absent sentencing by court is observed and is supplemented by CCA / Nevada Southern Detention Center management personnel appearing to have ignored compliance with procedural policies of supervisory duties concerning inmates. Case manager does not process inmate required rights in this instance preparation of In Forma Pauperis filing.
7. Without access to the trial transcripts, allocution, right, is without value and violates due process.
8. Motion practice by defendant is not recorded in trial proceedings. Defendant filed motions were not acted on in open court. Written opinions of the outstanding motions were rendered by the bench but not delivered to defendant until after judgment.

I, Shawn Talbot Rice, affirm under penalty of perjury that I have read the foregoing, know the contents therein and that to the best of my knowledge, understanding and belief, it is true, correct, and not misleading, the truth, and nothing but the truth.

Shawn Talbot Rice

Shawn Talbot

P.O.Box 1092

Seligman, AZ 86337

217-853-6269

Acknowledgment

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State of Nevada )

) Subscribed, affirmed and sealed

Nye County )

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On this 26 day of August, 2012, the signor did personally appear before me, is known to be the person described herein, who executed the foregoing, acknowledged the contents thereof, and executed the same as his free act and deed. Subscribed and agreed to before me the undersigned Notary.

seal

Debbie Patricia Mallwitz

Notary Officer \_\_\_\_\_

